

**IT IS SO ORDERED.**

**Dated: 03 November, 2010 03:58 PM**

  
RANDOLPH BAXTER  
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>In re</b>	)	<b>Chapter 11</b>
	)	
<b>KIEBLER RECREATION, LLC dba</b>	)	<b>Case No. 10-15099</b>
<b>Peek'N Peak Resort &amp; Spa</b>	)	
	)	<b>Judge Baxter</b>
<b>Debtor.</b>	)	
	)	

**ORDER APPROVING, IN PART, MOTION OF DEBTOR FOR ORDER  
EXTENDING PERIODS OF TIME WITHIN WHICH ONLY DEBTOR  
IS PERMITTED TO FILE A PLAN OF REORGANIZATION  
AND SOLICIT ACCEPTANCES THEREOF**

This matter having come before the Court on November 2, 2010 on the second motion of Kiebler Recreation, LLC (the "Debtor"), pursuant to 11 U.S.C. § 1121(d), for entry of an Order extending the periods during which the Debtor has the exclusive right to file a plan of reorganization and to solicit acceptances for a plan [docket # 265] (the "Motion"), the objection to the Motion filed

by The Huntington National Bank [docket # 280] (the "Huntington Objection"), and the response to the Motion filed by the Official Committee of Unsecured Creditors [docket # 303] (the "Response" and together with the Motion and the Huntington Objection, the "Pleadings"); upon review of the Pleadings, and all capitalized terms used and not defined herein having the meanings given them in the Motion, the Court finds that it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; that this is a core proceeding pursuant to 28 U.S.C. § 157(b); that venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and that notice of the Motion was good and sufficient under the circumstances and no other notice need be given; and it appearing to the Court based on the legal and factual bases set forth in the Motion, together with the statements and arguments made to the Court at the hearing on the Motion on November 2, 2010, that the brief extensions granted herein are not unduly prejudicial; that they are supported by the Committee and by secured creditors Vincent Cross, Executor of the Estate of Norbert Cross and Raquel Cross, Executrix of the Estate of Eugene Cross; and upon the bank's acknowledgment that its secured position is either fully secured or slightly undersecured; and it appearing that the extensions granted herein are in the best interests of the estate, and that sufficient cause exists therefor under 11 U.S.C. § 1121(d); it is hereby ADJUDGED, DECREED AND

**ORDERED** that the Motion is granted in part; and it is further

**ORDERED** that the Huntington Objection is overruled; and it is further

**ORDERED** that the period during which the Debtor has the exclusive right to file a plan of reorganization is hereby extended through and including December 1, 2010; and it is further

**ORDERED** that the period during which the Debtor has the exclusive right to file and solicit acceptances for a plan of reorganization is hereby extended through and including February 2, 2011; and it is further

**ORDERED** that no further extensions will be granted absent agreement among the relevant parties.

**IT IS SO ORDERED.**

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Submitted by:

/s/ Andrew Turscak

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